

NEWS

Fran Pavley
Assemblymember, 41st District

A MONTHLY ELECTRONIC NEWSLETTER TO THE 41st ASSEMBLY DISTRICT
(Including Agoura Hills, Calabasas, Encino, Malibu, Hidden Hills, Lake Sherwood, Oak Park, Pacific Palisades, Port Hueneme, South Oxnard, Santa Monica, Tarzana, Topanga, Westlake Village, and Woodland Hills.)

MAY 2005 EDITION

Governor Releases May Revise of State Budget

California's budget process starts out at the beginning of January when the Governor sends the Legislature a proposed budget based on the best estimates of what revenues and expenditures will be. The Legislature then begins to go through the budget in the various committees. The April 15 income tax filing deadline provides a closer estimate of what actual revenues to the state will be, and the Governor then has until May 15 to submit a revision known as the "May Revise" based on those new numbers.

Legislators in various policy committees, plus the independent Legislative Analyst's Office, are reviewing the proposals. The Democratic members of both houses will be preparing a thoughtful response and an alternative budget to guide negotiations on what the final budget will be. My goal is to have a fair, balanced budget passed, and on time (by July 1).

California, as you may remember, is one of only three states (along with Arkansas and Rhode Island) that requires a 2/3 vote to pass a budget. Not only does the minority party have the ability to hold up a budget, but California is also the only one of these three states that grants the Governor a line item veto on every budget expenditure.

First, the good news . . .

Revenues have increased by an estimated \$4.2 billion since the original January budget was released. This is largely due to an improved economy (more sales and income tax revenues) plus, to a minor extent, revenue from the state's tax amnesty program. The Governor is proposing that this new revenue be used primarily in the following four ways:

1. Reduction of debt by \$2.5 billion;
2. Restoration of \$1.3 billion that he originally proposed be cut from Prop. 42 transportation funding;
3. Adding \$300 million to the Prop. 98 account for limited specified education-related expenditures;
4. Restoration of the \$141 million originally proposed to be cut from Senior Citizen Property Tax and Renters Relief programs.

Now for the bad news . . .

Potential problems still loom on the horizon:

1. \$600 million of anticipated revenue may have been overstated in the Governor's budget due to an accounting error.
2. Prop. 98, the voter-approved education funding guarantee, will be suspended, with \$2 billion "borrowed" from last year not being repaid, and \$1.4 billion in unfunded mandates to school districts not being funded.
3. The Governor's budget assumes a \$469 million shift of money the state has historically contributed toward the State Teachers Retirement System (STRS), to be paid instead by local school districts. This will result in an additional loss to Prop. 98, a hit on local districts (or the teachers themselves), and the prospect of a lawsuit on the issue.

4. The budget also does not address a recent court decision that ordered the state to reimburse the STRS account \$500 million.
5. The budget counts on a \$408 million savings from state employee compensation that has yet to be negotiated, much of which is subject to collective bargaining agreements.
6. The cost-effective and popular In Home Support Services (IHSS) program is cut by \$162 million and reduces salaries of care providers to minimum wage levels. Counties like Ventura and Los Angeles have contracts or agreements with IHSS workers to pay approx. \$10/hour. Who will make up the difference? The IHSS program allows elderly and disabled people to stay in their homes as long as possible, which is certainly in everyone's best interest.

To summarize, the Governor proposes to balance the budget by making significant cuts to education and social services. The additional \$4.2 billion in revenue allows for reduction of the state's debt and a restoration of transportation dollars. The anticipated reserve is minimal – only \$515 million out of a total state budget of \$115 billion!

The May Revise has roughly \$2 billion of risky assumptions, as listed above. I was also very disappointed to read that the budget does not include any new money from the Federal government, and the Feds will not continue to reimburse California for the costs of incarceration of undocumented immigrant prisoners.

A final concern is that revenues will not keep pace with expenditures in future years. The Legislative Analyst's Office has already projected a \$5 billion shortfall for next year's 2006-07 budget, so the structural imbalance continues.

2005 Legislation Package Moves Forward

Here are just a few of my bills for this session:

Two-Year Kindergarten – AB 66 Authorizes school districts to operate a two-year kindergarten program, with the approval of the parent or guardian, for a child who has not had his or her 5th birthday by a specified date of each school year.

Fuel Alternatives – AB 1007 Requires the California Air Resources Board to develop and adopt recommendations for a plan to increase alternative fuels. The evaluation process would look at emissions assessments of criteria pollutants, toxics, greenhouse gases, and other substances that can damage human health and the environment.

Mulholland Scenic Highway Designation – AB 1252 Formally recognizes the scenic beauty of Mulholland Highway, from Headwaters Corner in Calabasas through the Santa Monica Mountains to the Pacific Ocean, by designating it as a County Scenic Highway on determination by Caltrans that it meets their criteria. *Bill passed out of the Assembly.*

Air and Water Quality Bond – AB 1269 Would go on the 2006 ballot to create the "Clean Air, Clean Water, Coastal Protection, and Parks Act." Provides a voter-approved source of funding for important air, water, and resource projects.

Automatic External Defibrillators – AB 1507 Requires every health club to have an AED on hand, and to train their personnel in their use. Employees who use AEDs in an emergency situation would not be liable for civil damages from such use except in cases of gross negligence or wanton misconduct.

Bill passed out of the Assembly.

Cigarette Pollution Cleanup – AB 1612 Places a per-pack fee on cigarette manufacturers to help offset state and local government costs associated with cleanup of cigarette-related litter. Cigarettes are the single most prevalent component of the state's litter stream along our rivers and beaches.

Lead in Jewelry – AB 1681 Steps down the allowable lead content standard for all jewelry imported into and sold in California, beginning July 2007. Lead is neurotoxic, and even at minute levels in children, causes brain function impairment. Studies indicate that there is no safe level of lead exposure for children.

AB 1700 Would Restrict Secret Settlements

Current law allows parties to civil lawsuits to settle their disputes under whatever terms they wish, including secrecy agreements where information involving a dangerous product or other hazard is sealed away from public access. Corporations usually insist on secrecy agreements when they settle lawsuits involving dangerous products or other hazards. Such agreements, however, can have tragic consequences. For example, lawsuits filed against Bridgestone/Firestone were settled with secrecy agreements that hid serious problems with defective tires. Bridgestone/Firestone knew about these problems, but kept quiet for a decade or more while casualties grew. During that time, the public continued to drive on those defective tires, resulting in over 150 deaths and over 500 injuries. Ultimately, Bridgestone/Firestone recalled over 14 million tires that people had been relying on as safe.

I introduced AB 1700 to end such secrecy agreements in any lawsuit based on a public danger – ex., defective products, environmental polluters, unsafe drugs, and acts of sexual misconduct and child molestation. The bill specifically protects trade secrets or other privileged information when the public's safety is not at risk.

This bill is being hard fought, especially by the high-tech industry, pharmaceutical companies, insurance companies, and defense lawyers. To access the full text of the bill, you can go to www.assembly.ca.gov. Just click on the Legislation link.

You can help!

If you will help me in my fight to protect the public interest by stopping what amounts to gag orders on disclosure of dangers to the public, here's an easy way. Go to www.consumersunion.org. Click on "Take Action Now," and then scroll down to "Other Issues..." The first item to follow is my bill – "Stop Gag Orders on Dangerous Public Hazards." I need and will very much appreciate your support **immediately**. This bill will be coming up for a vote any day.

California Gets New Poet Laureate

If you've been receiving this newsletter for a few of years, you may remember that I authored the bill in 2001 that created a state Poet Laureate to help recognize the value that the arts in general have to California's cultural life. Governor Schwarzenegger has just appointed a new Poet Laureate – **Al Young**, age 65. He was born in Mississippi, was reading at age three, and has been a poet, writer, teacher, and lecturer throughout his literary career. He is widely published, and has received many awards for his work. Congratulations to Al Young as he embarks on various appearances around the state. The position is funded by the California Arts Council. Young will receive a \$10,000 stipend, to be paid over the course of this two-year appointment.

Governor Backs State Authority over LNG Sites

Governor Schwarzenegger has publicly declared his opposition to Federal legislation that would pre-empt states from controlling the location of liquefied natural gas (LNG) terminals. Several applications are pending in California, most notably two located off the Oxnard coast that could have impacts on both the Oxnard and Malibu communities. I support the Governor in his opposition to weakening any rights of states to protect their coastlines and coastal communities, and including the right of California and other states to ban offshore oil drilling. Members of California's Congressional delegation, including Congressmembers Lois Capps and Henry Waxman, recently sent a strong letter in opposition to the contemplated Federal action. That letter may have been instrumental in spurring the Governor to take such a firm stand. This is an issue that I will continue to watch very carefully.

Breakfast with the Triunfo YMCA

May 7 marked another great pancake breakfast at Oak Park High School. This is a highly-successful annual fundraiser for the YMCA, supported by donations of food, drinks and supplies from many community businesses. I enjoyed flipping pancakes with some of the more expert dads and sponsors. Mickey Mouse pancakes with nice large ears were big sellers with the younger crowd. It was a real pleasure to join them and to share a beautiful morning with hundreds of happy kids and their families.



Las Virgenes Homeowners Federation Celebrates

The keynote speaker at the 38th Annual Banquet of the Las Virgenes Homeowners Federation this year was **California State Parks Director Ruth Coleman**. The Federation is a group of roughly 20 homeowner associations in and around the Santa Monica Mountains who are committed to preservation of the natural resources and to insuring that any development is environmentally-sensitive. The Annual Banquet is always a wonderful evening, and Director Coleman was the honored speaker because of her pivotal role in the acquisition of Soka University last month.



Supervisor Zev Yaroslavsky and Assemblymember Fran Pavley

Citizen of the Year was resident **“Chicken Jim” Wrigley** for a lifetime of advocacy and caring support for the Santa Monica Mountains National Recreation Area. Federation President Steve Hess described Jim as “a wonderful person and a real asset to the Federation and the community at large.” Ditto, and congratulations, Jim!

It was also important to me to make a special presentation to **L.A. County Supervisor Zev Yaroslavsky**, who seized the moment last year

when Soka came to the table to discuss a possible sale to the state. Zev never let go until the final moment when escrow closed. I promised to make him king if he pulled it off. And that’s exactly what he did!

You Can Block Access to your Credit Reports

Until the recent ChoicePoint scandal, few people have been aware that you can freeze access to your credit reports. Identity theft continues to be a very serious problem, and earlier this year ChoicePoint, the country’s largest collector of consumer data, reported that identity thieves had tapped into what may be many as 145,000 files in their data base.

To block all access to your credit reports, send separate letters to Equifax, Experian, and TransUnion, with a check for \$10 to each of them. For addresses and more information on exactly what is required to protect your accounts, go to www.privacy.ca.gov, and scroll down to “How to Freeze Your Credit Files.”

New Appointments to Select Committees

I’m pleased to have been appointed by Speaker Nunez to the Assembly Select Committee on Ports. This is a committee that I’ve wanted to be on since I began to represent the Port Hueneme/Oxnard area in 2001. As the only deep water harbor between Los Angeles and the San Francisco Bay, the Port of Hueneme is an important slice of the Ventura County economy. This appointment should give me a greater voice to help work on issues of importance to the Port and the County.

I was also glad to be appointed to the Assembly Select Committee on Runaway Production. Loss of entertainment industry jobs to other states, and out of the U.S. entirely, is a serious matter to California’s long-term economic wellbeing.

2004 Guide Dog Bill Used After Pit Bull Attack

Last year I authored a bill that became effective on January 1. It increased the penalties for any person who attacks, or allows their dog to attack, a guide, signal or service dog. On May 10, a volunteer was walking a Guide Dog-in-training at a Bay Area BART station. A pit bull that had been left in a car suddenly jumped out of the open window, and savagely attacked the young Guide Dog, crushing several bones in his face before two passersby helped pull the dogs apart. The Guide Dog may be too traumatized to continue in the program.

The case was referred to San Francisco Animal Control under my bill, and the owners will now face real consequences – punishment of up to a year in jail and up to a \$10,000 fine, based on the cost of medical care, or replacement and retraining of another Guide Dog. It's estimated that as many as one-third of the 10,000 Guide Dog users in the U.S. have suffered some kind of episode with other dogs.

Free Workshop -- *"Challenging the Obesity Epidemic"*

On June 8, I will be co-hosting a free Community Health Education Forum in Santa Monica intended to help educate the public on the obesity public health crisis. Issues will include the fiscal impacts on California, the epidemic of diabetes and childhood obesity, the collision of ancient genes and the modern environment, the effect on children, and what needs to be done to reverse it.

The expert speakers are: **Dr. Richard J. Jackson**, State Public Health Officer with the California Department of Health Services; and **Francine Ratner Kaufman, M.D.**, Professor of Pediatrics at The Keck School of Medicine at USC, and author of "Diabetes: The Obesity-Diabetes Epidemic that Threatens America – And What We Must Do to Stop It."

Date/time: Wednesday, June 8 – 7:00 to 9:00 p.m.

Place: Fairmont Miramar Hotel, 101 Wilshire, Santa Monica

Advance reservations are required. Call (310) 829-8453 to reserve your free seat. Self-parking is available in City Parking Structure #2 located on 2nd Street between Wilshire and Arizona for \$3.00. This should be a very interesting event on a subject of growing concern.

Woodland Hills ROLE Awards to Teachers

Honoring good teachers is something that I particularly like seeing done. On May 18, the Woodland Hills Chamber of Commerce honored three teachers with their "Rewarding Outstanding Leaders in Education" awards for 2005. This year's honorees are:

- **Steven Piazza**, a professor in Pierce College's Music Department for his innovative teaching methods, inspiration to students, and involvement in the community;
- **Christopher Bautista**, who teaches science at Chaminade Middle School, and is also very involved in student extra-curricular activities; and
- **Eileen Landau**, a teacher for over 30 years, working on literacy and mentoring other teachers on teaching trends and to help them solve challenges along the way.

Congratulations to these three outstanding teachers, and my thanks to everyone who chooses teaching as their profession.

Encino Chamber Also Salutes Educators

On May 6, I was pleased to personally join the Encino Chamber of Commerce as they, too, honored teachers and we all heard their inspiring stories. Congratulations to the "2005 Outstanding Teacher of the Year," **Suzanna Gordon**, from the Sherman Oaks Center for Enriched Studies, and to each of the following 2005 "Teachers of the Year:"

- **Hirout "Mimi" Dagnew**, Emelita Street School
- **Noemi Flores**, William Mulholland Middle School
- **Monica Fulford**, Lanai Road School
- **Cheryl Spivak**, Portola Middle School
- **Marianne Maki**, Reseda High School
- **Vanessa Nguyen**, Nestle Avenue School
- **Jenny Sarpolis**, Zane Grey High School
- **Lois Siskin**, Encino Elementary School
- **Dianne Barrows**, Berkeley Hall School

Assemblymember Pavley's Committee Assignments

Budget Committee
Education Committee
Transportation Committee
Water, Parks and Wildlife Committee
Chair, Budget Subcommittee #3 on Resources
Chair, Select Committee on Air and Water Quality
Select Committee on Runaway Production
Select Committee on Ports

Legislative Advisory Committee – Wildlife Conservation Board
Legislative Advisory Committee – California Coastal Conservancy
Santa Monica Mountains Conservancy Board

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